

1 since my staff duties included responsibilities regarding certain
2 areas of litigation.

3 4. Thus, having participated in Scientology litigation
4 both as a Church executive and as a litigant against the Church,
5 I bring two distinct, but related, perspectives to this
6 declaration from my personal knowledge and observation. First,
7 at the time my husband and I brought our own suit I understood
8 that the legal system could be used to pursue my position.
9 Later, upon having sued various Scientology churches and having
10 allied myself with other litigants and their counsel suing
11 Scientology churches, I observed first hand the ways in which the
12 legal system is successfully used by litigants and counsel
13 opposing the Church.

14 5. The fundamental premise upon which the Church's
15 adversaries and their lawyers operate is the likelihood that
16 courts and juries are willing to believe any allegation made
17 against the Church by a former member, without regard to
18 plausibility, contrary evidence or the true facts. That concept
19 was most succinctly expressed, on videotape, by anti-Scientology
20 litigant, Gerald Armstrong, when he stated that a lack of
21 documents or evidence was no impediment to litigating against the
22 Church when the litigant can "just allege it." The active
23 pursuit of that litigation approach has now led to the formation
24 of a small group of disaffected Scientologists who are now
25 employed by an even smaller number of attorneys who are making a
26 practice of litigating against the Church. This stable of
27 witnesses can be relied upon to furnish "corroboration" for any
28 allegation which an attorney wishes to make against the Church in

1 pleadings, at deposition, in affidavits, and ultimately in trial
2 testimony.

3 6. The abusive device most consistently utilized by
4 litigants and counsel adverse to the Church occurs in connection
5 with the filing of declarations or affidavits. It is common
6 knowledge among the stable of disaffected ex-Scientologists who
7 supply such sworn statements that the attorneys dictate the
8 desired content of such testimony with the primary, often sole,
9 purpose of presenting inflammatory accusations that prejudice the
10 Church in the eyes of the court. In such declarations or
11 affidavits, context, the truth, and relevance to the issues in
12 the case are disregarded altogether. As time has passed and this
13 technique has evolved, anti-Church litigants and their counsel
14 have become more and more emboldened in making such declarations
15 and affidavits because the tactic has proven to be so effective
16 in poisoning courts and juries against the Church.

17 7. The most common and probably the most devastating
18 manifestation of this tactic is the use of allegations concerning
19 the so-called "Fair Game" policy of the Church. The term "Fair
20 Game" has been misrepresented and repeatedly used by the Church's
21 litigation adversaries as a means to create prejudice against the
22 Church. To accomplish that end, counsel fashions a declaration
23 in which the witness identifies an ugly event -- real, imagined,
24 or just plain invented -- and then alleges that it was a
25 deliberate act which was committed by the Church. The idea is to
26 create the false impression that the Church is committing acts of
27 retribution in pursuit of "Fair Game."

28 8. A central element of exploiting the "Fair Game" tactic

1 is to make certain that the allegations are crafted so they
2 cannot be objectively disproved. In other words, the declarant
3 makes an allegation of a bad or harmful or harassing act that
4 cannot be documented in a tangible form and then alleges that it
5 was done by the Church pursuant to the Fair Game "policy." By so
6 doing, the declarant has put the Church in the impossible
7 position of trying to prove a negative and trying to prove it
8 without documentation. It becomes a matter of the declarant's
9 word against that of the Church, and by making the act alleged
10 sufficiently despicable, the result is prejudice against the
11 Church.

12 9. The Fair Game policy was a policy to forward
13 Scientology's belief that any attacks on Scientology by those
14 seeking to destroy it were to be vigorously defended by legal
15 means and never ignored. It was not a policy condoning or
16 encouraging illegal or criminal activities. The policy was
17 misinterpreted by others and was thus canceled. It has since
18 been used by litigants over the years as a vehicle to give
19 credibility to allegations to try to prejudice courts against
20 Scientology. An event happens such as someone's wife dies in a
21 car accident, and the allegation is made that this is a murder
22 committed by the Church pursuant to "Fair Game" policy. This
23 technique is known to those who attack the Church and so they
24 continue to use this term to try to prejudice the courts. These
25 people feel comfortable making scandalous allegations, knowing
26 that the Church does not have such a policy. I am unaware of any
27 allegations of "Fair Game" being made by persons who have simply
28 left the Church. Rather, the charges of Fair Game are invariably

1 made by parties who have subsequently become involved in
2 litigation with the Church and who have started working with
3 other anti-Scientology litigants familiar with this tactic.

4 10. It has been my experience that these litigants and
5 lawyers become emboldened because the history of Scientology
6 litigation demonstrates that virtually any charge leveled against
7 the Church in litigation by an avowed enemy, no matter how
8 outrageous or unfounded, will be accepted and believed. Based on
9 my experience it is a matter of common knowledge that efforts by
10 the Church to refute such prejudicial allegations have commonly
11 not been believed in the courts.

12 11. Thus, it has become a routine practice of litigants to
13 make accusations against the Church, including even false
14 allegations of threats of murder, which would be summarily thrown
15 out of court as unsupported and scandalous in other litigation.
16 They do it because it works, and they do it by deliberately
17 mischaracterizing the term "Fair Game". They do it as an
18 intentional means to destroy the reputation of the Church in the
19 context of litigation so that they can win money or force the
20 Church to settle.

21 12. While I was in the Church I witnessed the "Fair Game"
22 allegations made by Gerry Armstrong and Larry Wollersheim in
23 their litigation against the Church. My position in the Church
24 at the time gave me broad access to what was occurring and I
25 would have known were the allegations made by Armstrong and
26 Wollersheim true. Wollersheim, for example, made the allegation
27 that a pipe bomb was found on his parent's lawn and, without any
28 corroboration, blamed the Church. I know from my own personal

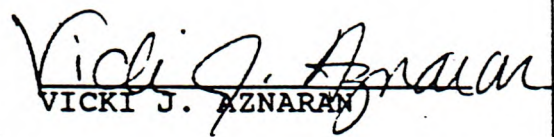
1 knowledge that this outrageous allegation of Church involvement
2 is absolutely false. During the Wollersheim trial, rumors began
3 to spread throughout the trial courtroom that Judge Ronald
4 Swearinger had been followed, his tires had been slashed, and his
5 pet dog had drowned, and that the Church was responsible for that
6 supposed activity. All of those allegations of Church complicity
7 were false, as well, as I now personally attest. Armstrong
8 alleged the Church was trying to kill him and this allegation
9 also was just made up. I know of its falsity of my own personal
10 knowledge. Both Armstrong and Wollersheim continue to make the
11 same type of outrageous allegations of Fair Game to forward their
12 litigation to this day, due in no small measure to the fact that
13 they practiced Fair Game so effectively in their earlier,
14 victorious litigation against the Church.

15 13. The term "fair game" has become a catch phrase for
16 those who attack the Church. When I was in the Church I never
17 heard it referred to as a policy to be used, the only time it was
18 discussed was in reference to litigation in which it was being
19 alleged by Church adversaries. When I was in the Church, I knew
20 that litigants opposing the Church were constantly making fair
21 game allegations against us and that those allegations were
22 nonsense. I also know the frustration those allegations caused
23 because of the willingness of courts and juries to embrace them.
24 From my experience in litigating against the Church, I can see
25 that nothing has changed in this regard. I also know from my
26 experiences in suing the Church and from my association with
27 other litigation adversaries of the Church that they know that
28 "Fair Game" as they portray it is not Church policy. "Fair Game"

1 exists only as a litigation tactic employed against the Church.

2 I declare under the penalty of perjury under the laws of the
3 United States of America, and under the laws of each individual
4 state thereof, including the laws of the states of California and
5 Texas, that the foregoing is true and correct.

6 Executed this 19th day of May, 1994 in Dallas, Texas.

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9 VICKI J. AZNARAN

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